

**REMARKS**

**I. Status Of The Claims**

Claims 1-32 are pending in this application, of which claims 1-28 and 32 are withdrawn from consideration.

Claims 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Feinleib (U.S. Patent Application Publication No. 2005/0028195).

Claims 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Kostreski (U.S. Patent No. 5,729,549).

Claim 29 is independent.

**II. Rejection of Independent Claim 29**

The Office Action rejects independent claim 29 under 35 U.S.C. 102(e) as being anticipated by Feinleib, and under 35 U.S.C. 102(b) as being anticipated by Kostreski.

Turning to the rejection of independent claim 29 under 35 U.S.C. 102(e) as being anticipated by Feinleib, Applicants respectfully submit that Feinleib fails, for example, to disclose, teach, or suggest:

“... one or more global caster modules, wherein each of the global caster modules receives content to distribute to all locations in a network ...”

as set forth in claim 29 as amended herewith (emphasis added).

The Office Action apparently contends that “primary content provider 22(1)” and “secondary content provider 22(2)” of Feinleib, acting together, receive content meant for distribution to all locations in a network.

However Applicants respectfully observe, for instance, that even if “primary content provider 22(1)” and “secondary content provider 22(2)” are taken to be caster modules for the sake of argument, Feinleib would still fail, for example, to disclose, teach, or suggest that “primary content provider 22(1)” itself receives content to distribute to all locations in a network, or that “secondary content provider 22(2)” itself receives content to distribute to all locations in a network.

As another example, Feinleib fails to disclose, teach, or suggest:

“... one or more global caster modules, wherein each of the global caster modules receives content to distribute to all locations in a network; [and]

one or more local caster modules, wherein each of the local caster modules receives content to distribute to only certain locations in said network ...”

as set forth in claim 29 as amended herewith (emphasis added).

Applicants respectfully observe, for instance, that even if, for the sake of argument, “multiple clients 24(1), 24(2), 24(3), and 24(4)” of paragraph [0026] of Feinleib are taken to be locations, Feinleib would still fail, for example, to disclose, teach, or suggest that they are in a network.

Turning to the rejection of independent claim 29 under 35 U.S.C. 102(b) as being anticipated by Kostreski, Applicants respectfully submit that Kostreski fails, for example, to disclose, teach, or suggest:

“... one or more global caster modules, wherein each of the global caster modules receives content to distribute to all locations in a network ...”

as set forth in claim 29 as amended herewith (emphasis added).

The Office Action apparently contends that “transmitters TX1 to TXN” of

Kostreski, acting together, receive content meant for distribution to all locations in a network.

However Applicants respectfully observe, for instance, that even if “transmitters TX1 to TXN” are taken to be caster modules for the sake of argument, Kostreski would still fail, for example, to disclose, teach, or suggest that any one of “transmitters TX1 to TXN” itself receives content to distribute to all locations in a network.

Instead, Kostreski merely discusses each of “transmitters TX1 to TXN” broadcasting to a portion of a “desired service area”:

“[t]he transmitters TX1 to TXN broadcast the broadband channels simultaneously into overlapping portions of a desired service area”  
(see Kostreski col. 8 ln. 20-22; emphasis added).

In view of at least the foregoing, Applicants respectfully submit that claim 29 at least with the amendments herewith, as well as those claims that depend therefrom, are in condition for allowance.

### **III. Dependent Claim Rejections**

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

**CONCLUSION**

Applicants respectfully submit that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4026.

Furthermore, in the event that an extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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By:



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